

PERSONALLY SERVED

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case Type: Personal Injury

Laura DeShane,

Court File Number: \_\_\_\_\_

Plaintiff,

vs.

**SUMMONS IN A CIVIL ACTION**

City of Minneapolis and Does 1-3, in  
their official and individual  
capacities,

Defendants.

TO: City of Minneapolis  
City Hall, Room 304  
350 South 5th Street  
Minneapolis, MN 55415

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.
2. **YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a **written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons to the address below.
3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.
4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 21 days, you will lose this case.

You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**
6. **ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: January 10, 2021



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**ATTORNEY FOR PLAINTIFF**

PERSONALLY SERVED

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MINNEAPOLIS, MINN

STATE OF MINNESOTA

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DISTRICT COURT

COUNTY OF HENNEPIN

CITY CLERK  
DEPARTMENT

FOURTH JUDICIAL DISTRICT

Case Type: Personal Injury

Laura DeShane,

Court File Number: \_\_\_\_\_

Plaintiff,

vs.

City of Minneapolis and Does 1-3, in  
their official and individual  
capacities,

**COMPLAINT**

**JURY TRIAL REQUESTED**

Defendants.

### INTRODUCTION

1. On or about November 3, 2020, Laura DeShane – the plaintiff in this case – was arrested while recording with her phone in a public park, and subjected to unduly tight handcuffs that caused injury.

### PARTIES

2. Plaintiff Laura DeShane is a resident of Minneapolis, Minnesota.
3. Defendant City of Minneapolis is a municipality incorporated in the State of Minnesota.
4. The Doe Defendants are unidentified individuals who committed the acts set forth below as agents of Defendant City of Minneapolis. Plaintiff is suing them in their official and individual capacities.

### JURISDICTION

5. This is an action for damages under Minnesota common law. This Court has jurisdiction over this matter pursuant to Minn. Stat. § 484.01 *et seq.* Venue lies properly in Hennepin County, Minnesota



pursuant to Minn. Stat. § 542.01 *et seq.*, as the events giving rise to this action occurred in Hennepin County.

### **BACKGROUND**

6. On November 3, 2020, Plaintiff became aware of a protest march passing through Uptown in Minneapolis.
7. Plaintiff went outside to see what was happening.
8. Plaintiff began recording the demonstration on Facebook Live.
9. Plaintiff walked alongside the march in an attempt to figure out who organized it and what was going on.
10. Before the march ended, Plaintiff had fallen about 20 feet behind the march.
11. At the corner of Aldrich Avenue and 31st Street, the march ended at Bryant Square Park.
12. The protesters quickly went from walking to running away.
13. Plaintiff continued to record on Facebook Live while standing approximately 100 feet away from the dispersing protesters.
14. A Minneapolis Police Department strike team attempted to arrest everyone in Bryant Square Park as soon as the march ended, regardless of whether officers had probable cause to arrest each person.
15. It was clear based on a variety of factors that Plaintiff was not one of the protesters, including but not limited to where Plaintiff was located and the fact that Plaintiff was standing quietly and filming instead of attempting to flee.
16. Plaintiff was arrested while recording the aftermath of law enforcement chasing and arresting protesters.
17. Plaintiff was not given any warnings before her arrest.
18. Plaintiff was subjected to unduly tight handcuffs that caused injury.

19. Plaintiff has worked as a certified wilderness first responder, and as of November 3, 2020, she had a basic medical understanding of what kind of damage could be done to a limb with severely restricted blood flow.
20. Before Plaintiff's handcuffs caused injury, Plaintiff complained to one of the Doe Defendant officers to no avail.
21. Plaintiff had never been arrested before.
22. Plaintiff had not committed a crime on November 3, 2020.
23. Plaintiff did not pose a threat, much less an immediate threat, to the safety of any officers or others on November 3, 2020.
24. Plaintiff did not actively resist arrest or attempt to evade arrest by flight on November 3, 2020.
25. Yet on November 3, 2020, two law enforcement officers employed by the City of Minneapolis arrested Plaintiff without proper legal authority, one of whom subjected Plaintiff to unduly tight handcuffs that caused injury.
26. Another Doe Defendant officer failed to address Plaintiff's unduly tight handcuffs for approximately an hour, despite being notified by Plaintiff that her handcuffs were too tight and her hand was going numb.
27. As a result of Plaintiff's arrest, she had to miss approximately two weeks of work.

#### **FIRST CAUSE OF ACTION – BATTERY**

28. Plaintiff restates the allegations contained in the previous paragraphs as if fully set forth herein.
29. Law enforcement officers employed by the City of Minneapolis intentionally caused harmful or offensive contact with Plaintiff. Specifically, two law enforcement officers employed by the City of Minneapolis arrested Plaintiff without proper legal authority, and one

of them subjected Plaintiff to unduly tight handcuffs that caused injury.

30. The City of Minneapolis is vicariously liable for the acts described above by its officers.
31. As a direct and proximate result of the actions described above, Plaintiff suffered harm.

### **SECOND CAUSE OF ACTION – NEGLIGENCE**

32. Plaintiff restates the allegations contained in the previous paragraphs as if fully set forth herein.
33. One of the law enforcement officers employed by the City of Minneapolis, by tightening Plaintiff's handcuffs so much that they caused injury, breached his duty to exercise a reasonable standard of care toward Plaintiff.
34. Another law enforcement officer employed by the City of Minneapolis, by ignoring Plaintiff's complaint about her handcuffs being too tight for approximately one hour, breached her duty to exercise a reasonable standard of care toward Plaintiff.
35. The City of Minneapolis is vicariously liable for the acts and omissions described above by its officers.
36. As a direct and proximate result of these actions, Plaintiff suffered harm.

### **THIRD CAUSE OF ACTION – FALSE IMPRISONMENT**

37. Plaintiff restates the preceding paragraphs as though fully stated herein.
38. The actions of two of the law enforcement officers employed by the City of Minneapolis intentionally restricted Plaintiff's physical liberty on November 3, 2020.



39. Plaintiff was aware of and was harmed by these actions by law enforcement officers employed by the City of Minneapolis.
40. There was no reasonable means of escape known to Plaintiff.
41. Plaintiff's arrest was made without proper legal authority.
42. The City of Minneapolis is vicariously liable for the acts described above by its officers.
43. As a proximate cause of the false imprisonment of Plaintiff by two law enforcement officers employed by the City of Minneapolis, Plaintiff suffered harm, thereby entitling Plaintiff to recover damages.

### **REQUEST FOR RELIEF**

Plaintiff requests relief as follows:

1. Compensatory damages against Defendants, jointly and severally, in an amount exceeding \$50,000;
2. Punitive damages;
3. Prejudgment interest; and
4. Such other further relief as this Court may deem just and proper.

Dated: January 10, 2021



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**ATTORNEY FOR PLAINTIFF**

**ACKNOWLEDGEMENT REQUIRED BY MINN. STAT. § 549.211**

Plaintiff, through undersigned counsel, acknowledges that sanctions, attorneys' fees, and witness fees may be imposed under Minn. Stat. § 549.211.

Dated: January 10, 2021



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